

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Annual Assessment of the Status of)	MB Docket No. 12-203
Competition in the Market for the)	
Delivery of Video Programming)	

COMMENTS OF
Birmingham Area Cable Board
Birmingham, MI

The Birmingham Area Cable Board submits these comments in response to the above-captioned Notice of Inquiry ("NOI"), released July 20, 2012, seeking "data, information, and comment on the state of competition in the delivery of video programming."

The Birmingham Area Cable Board ("BACB") was formed through an InterLocal Agreement between the City of Birmingham and the villages of Beverly Hills, Bingham Farms and Franklin. It is the mission of the Board to advocate for member municipalities and their citizens in order to maximize the quality and value of services of cable and related communications providers and support the delivery of public, educational and governmental programming.

The BACB is a volunteer organization committed to: resolving cable complaints, inviting cable competition, pursuing legislative enhancements, protecting public rights of way/revenue stream and the development of local public access programming for community expression.

1. How many channels does your MVPD operator(s) provide for PEG Programming?
2. On which tier are these channels placed and is extra equipment required to view them?
 - A) Comcast (dominant cable provider with distribution throughout entire area footprint)
 - a. 3 channels on basic tier requiring no additional equipment and 3 channels on 900 tier requiring digital set top box.
 - B) Wide Open West (Cable Over-builder with no service to two communities (Bingham Farms and Franklin Villages) WOW is not a head-to-head competitor to dominant cable provider throughout BACB footprint)
 - a. 3 channels on basic tier requiring no additional equipment for basic tier
 - C) AT&T U-verse (ADSL Provider with limited service to communities based on technological limits of distance from installed backbone. AT&T is not a head-to-head competitor to dominant cable provider throughout BACB footprint)
 - a. 1 channel on basic tier (channel 99) with access to all communities PEG offerings

3. Are there more or fewer PEG channels carried on MVPD systems than were carried as of June 2010? The same number of PEG channels are carried today as on June 2010.
4. What data sources exist to track the availability of PEG programming?
 - a. Two providers (Comcast & WOW) indicate appropriate PEG channels on their online channel lineup as well as on the screen channel guide.
 - b. AT&T indicates PEG channels on their on-screen channel guide, but not on their online channel lineup. They do have a robust PEG website, but it is not easily found. AT&T does not have a "commercial product" which does not allow production facilities and community television production studios to visually monitor the AT&T PEG channel (99). This creates quality issues that this organization has dealt with for over three years.
5. Numerous subscribers to AT&T U-verse have asked the BACB how to find PEG programming, or even if it is carried by AT&T. This reflects a poor communication of the presence of PEG programming on the part of AT&T. The one channel model does create confusion for some users as to how to find their local area PEG channels and programs.
6. Consumer usage studies by an independent research group indicate that there is an 83% awareness the municipal channel, and 81% awareness of the educational channel and an 80% awareness of the Public channel in this area. Viewership tends to increase with age, but then decline among those who are age 65+. Nearly 3 in 4 viewers say they find out about PEG programming by channel surfing. The majority of viewing hours are in the evening time frame (7PM-11PM).

Submitted:



Kenneth F. McFadden
Vice Chair
Birmingham Area Cable Board

October 9, 2012